

**CITY OF SIMI VALLEY
MEMORANDUM**

January 24, 2022

TO: City Council

FROM: Office of the City Clerk / Office of the City Attorney

SUBJECT: A THIRD PUBLIC HEARING BEFORE THE CITY COUNCIL ON THE REDISTRICTING PROCESS TO CONSIDER ADOPTION OF A VOTING DISTRICT MAP AND INTRODUCTION OF ORDINANCE NO.1334

STAFF RECOMMENDATION

Staff recommends that the City Council take the following actions:

1. Hold a public hearing for the purpose of receiving public comment regarding the draft District maps being considered for adoption;
2. Receive a presentation from the City's demographer on the current and draft District maps considered for adoption;
3. Select either the City's current District map, or a publicly submitted map, and introduce for first reading Ordinance No. 1334 adopting a District Map of the voting district boundaries.
4. Close the public hearing and set the next public hearing and adoption of Ordinance No. 1334 for February 14, 2022.

BACKGROUND AND OVERVIEW

Every ten years, cities with by-district elections must use new census data to review and, if needed, redraw district lines to reflect how local populations have changed. The redistricting process for Simi Valley must be completed by April 17, 2022. As provided by law, there are multiple opportunities for the public to provide input into the redistricting process.

On September 27, 2021, the City Council conducted its first public hearing in a series of four, as required in the redistricting process set forth in the FAIR MAPS Act (Elections Code Sections 21607.1). At this hearing, the public was provided information on the criteria to be considered in the drawing of district maps, an overview of the process with a focus on receiving public comment and input regarding communities of interest and other local factors that should be considered while drafting district maps. Following the first public hearing, the public was given an opportunity to submit their proposed draft maps

for consideration by the City Council with a deadline of October 25, 2021. However, due to technical difficulties with the online mapping tool program, the deadline was extended to December 6, 2021.

On Saturday, October 9, 2021, a Community Redistricting Workshop was held via Zoom to provide the public with another opportunity to participate, provide input, and learn how to use the mapping tools. This Workshop counts as one of the four required public hearings under the FAIR MAPS Act (Elections Code 21607.1(e)). At the Workshop following a presentation from staff and the City's demographer consultant, NDC, various participants provided feedback regarding current district boundaries and considerations that should be taken into account by the City. Spanish interpreters were made available at this presentation. A video recording of the Workshop is available for viewing at <https://www.youtube.com/watch?v=JChAU2U3U7Q>.

The second public hearing before the City Council was scheduled for November 8, 2021. Due to postponement of the deadline for community map submission, the second public hearing was continued to the December 20, 2021, City Council Meeting. At the December 20, 2021, public hearing, the City Council received a presentation from NDC regarding the federal and state criteria for redistricting, including a review of the City's current district map (Attachment A - Map 404) which was determined to be population balanced. In addition, NDC reviewed the sole map that had been submitted by a member of the public for the City Council to consider, however it did not meet the federal law criteria.

Paper maps (hand drawn) have been available to the public for submission and consideration during the redistricting process. Following NDC's presentation, the City Council requested that staff conduct a second workshop for the public so that NDC could demonstrate the *online* mapping tool which was not available until late in the process, in the event members of the public wanted to now use these tools and submit a map. The map submission deadline was extended to Tuesday, January 18, 2022. At the close of the public hearing, the City Council unanimously voted for staff to return with the current district map for final consideration at the third public hearing scheduled for January 24, 2022 and for introduction and first reading of the ordinance for the selection of a map.

FINDINGS AND ALTERNATIVES

Summary of the Second Public Hearing

On December 20, 2021, the City Council held a second public hearing as required under Elections Code Section 21607 *et seq.* to receive a presentation from the City's demographer consultant, NDC, regarding the redistricting requirements; NDC's analysis of the current district map and the sole draft map submitted by a member of the public; and to receive public testimony regarding the maps under consideration.

NDC's presentation included information regarding the State of California's adjusted 2020 U.S. Census data for California cities and which figures are used to determine if district boundaries need to be adjusted. The official adjusted 2020 population for the City of Simi Valley is 126,360. NDC processed this population number for the current City's four City

Council districts. NDC found that the City's current districts have a total population deviation – the difference between the most populous and least populous districts – of 3.76%. This value is well below the 10% threshold where a map is considered “presumptively constitutional,” and thus the districts do not need to be redrawn to comply with the federal equal population requirement (*Harris v. Arizona Independent Redistricting Commission*, (2016) 136 S.Ct.1301).

NDC also provided its analysis of the only map submitted by a member of the public at that time for the City Council to consider (Attachment B - Public Map 201). NDC concluded that the map as submitted, was not population balanced as the total population deviation was found to be 14.74% which is above the permissible 10% threshold. Since Public Map 201 did not meet the federal criteria, it was therefore not a viable option for the City Council to select. Finally, NDC explained that while the current Simi Valley district map is considered balanced from an equal population standpoint, the City Council must still review the current map in light of the FAIR MAPS criteria, described further below. At this hearing, there was no testimony (either in person or by Zoom), submitted by members of the public.

Second Community Redistricting Workshop

A concern was raised at the December 20, 2021, public hearing that the online mapping tools may not have been made available for the public to understand and use, prior to the map submittal deadline of December 6, 2021. At the request of the City Council, a second Community Redistricting Workshop was conducted via Zoom on Saturday, January 8, 2022 at 10:00 a.m. for which Spanish interpreters were again made available. At the Workshop, NDC provided instruction and demonstrated how to navigate through the online mapping tools. A video recording of the Workshop is available for viewing at redistrictsimivalley.org. The date for the public to submit a map for City Council's consideration was extended to January 18, 2022. Two maps were timely submitted for review at the next City Council meeting; Public Map 202 and Public Map 203 (Attachment C).

Third Public Hearing

The purpose of this third public hearing before the City Council is to: 1) receive additional testimony from the public, 2) receive a presentation from NDC regarding the recent map submittals and, 3) consider selection of a map for adoption, either the current district map without any changes or one of the publicly submitted maps.

Criteria to Consider

Since the City Council's transition to by-district elections in 2018, the State has enacted new laws governing the redistricting process, including the FAIR MAPS Act, which was adopted by the California legislature and took effect January 1, 2020. The FAIR MAPS Act contains specified criteria that must be considered in redrawing district boundaries.

In accordance with the FAIR MAPS Act, the City Council shall draw and adopt boundaries using the following criteria in the listed order of priority (Elections Code 21601(b),(c):

1. Comply with the federal requirements of equal population and the Federal Voting Rights Act (FVRA)
2. Geographically contiguous
3. Undivided neighborhoods and “communities of interest” (socio-economic geographic areas that should be kept together)
4. Easily identifiable boundaries
5. Compact (do not bypass one group of people to get to a more distant group of people)
6. Shall not favor or discriminate against a political party

Once the prioritized criteria are met, other traditional districting principles can be considered, such as:

1. Minimize the number of voters delayed from voting in 2022 to 2024
2. Respect voters’ choices / continuity in office
3. Future population growth

Should the City Council find the above criteria has been met, it may proceed with a first reading of Ordinance 1334 determining that the selected map establishes the voting district boundaries in accordance with Elections Code 21601.

The following alternatives are available to the City Council:

1. Hold a public hearing for the purpose of receiving public comment regarding the current and draft District maps being considered for adoption;
2. Receive a presentation from the City’s demographer on the current and draft District maps considered for adoption;
3. Select either the City’s current District map, or a publicly submitted map, and introduce for first reading Ordinance 1334 adopting a District Map of the voting district boundaries;
4. Close the public hearing and set the next public hearing and adoption of Ordinance 1334 for February 14, 2022.
5. Provide staff with further direction.

Staff recommends Alternative Nos. 1 through 4.

SUGGESTED CITY COUNCIL MOTION

I move to select:

The City's current District Map as the City's map of voting district boundaries and introduce for first reading, District Map Ordinance No. 1334, and set the next public hearing for February 14, 2022 for second reading and adoption of the ordinance;

OR

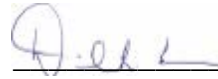
Public Map No. ___ as the City's map of voting district boundaries and introduce for first reading, District Map Ordinance No. 1334, and set the next public hearing for February 14, 2022 for second reading and adoption of the ordinance.

SUMMARY

Since the City Council's transition to by-district elections in 2018, the State has enacted new laws governing the redistricting process, including the FAIR MAPS Act, which was adopted by the California legislature and took effect January 1, 2020. The FAIR MAPS Act contains specified criteria that must be considered in redrawing district boundaries, new requirements for public hearings, and new outreach requirements. This hearing is focused on receiving public comment, a presentation from NDC about maps submitted by the public, City Council's selection of a final map and introduction of map Ordinance 1334 with a fourth public hearing set for February 14th 2022. The redistricting process for Simi Valley must be completed by April 17, 2022.



Lucy Blanco, CMC
City Clerk



David L. Caceres
City Attorney

Prepared by: Lucy Blanco, City Clerk/Sonia Hehir, Assistant City Attorney

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PUBLIC HEARING PROCEDURE

HEARING DATE: January 24, 2022

1. MAYOR: This is the time and place set for a public hearing to consider the second public hearing on the redistricting process and to receive input from the public for the redrawing of election district boundaries.

2. MAYOR: May we have an oral report on this matter?

3. STAFF: (Report)

4. ANY COUNCIL MEMBER: (Questions of staff and staff response)

5. MAYOR: Is there anyone in the City Council Chamber wishing to be heard on this matter? Did we receive any requests for members of the public to make a public statement on zoom for this item and if so, please use the hand raise function on your computer or *9 on your phone, staff will un-mute you when it is your turn.

6. AUDIENCE: (Comments)

7. MAYOR: The hearing is closed. Are there any comments or questions from members of the City Council?

8. ANY COUNCIL MEMBER: (Comments)

9. MAYOR: The Chair will now entertain a motion.

10. ANY COUNCIL MEMBER: City Council Actions (by motion of any Council Member):

* Any action to refer the matter back to staff or to continue the matter requires a second and a vote.

11. ANY COUNCIL MEMBER: Second

12. MAYOR: (Call for vote)

13. MAYOR: Proceed to the next item.

ORDINANCE NO. 1334

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIMI VALLEY, ADOPTING A MAP DESCRIBING VOTING DISTRICT BOUNDARIES AND AMENDING TITLE 2 OF CHAPTER 4 OF THE SIMI VALLEY MUNICIPAL CODE

WHEREAS, California Elections Code Section 21601 requires that following each decennial federal census, and using that census as a basis, the City Council shall, if necessary, adjust the boundaries of any or all of the Council districts of the City so that the districts shall be as nearly equal in population as may be and shall comply with the applicable provisions of federal and state legal or other requirements;

WHEREAS, on September 27, 2021, the California Statewide Database provided the City of Simi Valley ("City") with an official population estimate of 126,360; and

WHEREAS, throughout the foregoing process, the City engaged in public outreach and engagement, as required by California Elections Code Section 21608; and

WHEREAS, on September 27, 2021, pursuant to California Elections Code Section 21627.1 the City Council held a first public hearing on the redistricting process where the public was invited to provide input for the redrawing of election district boundaries; and

WHEREAS, on Saturday, October 9, 2021, the City conducted a Redistricting Community Workshop via Zoom, with a live Spanish interpreter, where the public was invited to learn about the redistricting process, the mapping tools and to provide input on communities of interest; and

WHEREAS, on December 20, 2021, pursuant to California Elections Code Section 21627.1, the City Council held a second public hearing to receive input from the public, review the current district map as well as one submitted map; and

WHEREAS, on Saturday, January 8, 2022, the City held a second Redistricting Community Workshop with a live Spanish interpreter, to offer an additional opportunity for residents to become informed about the process, to provide a demonstration on using the online mapping tools and for the public to provide feedback on potential district composition and criteria; and

WHEREAS, on January 24, 2022, the City Council held a third public hearing to receive input from the public, review two submitted maps and the current map as well as select a district map for adoption; and

WHEREAS, the City Council now desires to adopt this Ordinance No. 1334 adopting the map as attached hereto describing the boundaries of each City Council district in the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SIMI VALLEY DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and correct and incorporated herein by this reference.

SECTION 2. The adopted map describing the City of Simi Valley's boundaries following the 2020 federal decennial census in accordance with California Elections Code Section 21601 is Exhibit "A" attached hereto.

SECTION 3. Severability. If any provision of this Ordinance is declared invalid by a court of competent jurisdiction, adjudicated to a final determination, the City Council finds that said voided part is severable, that the City Council would have adopted the remainder of this Ordinance without the severed and voided part, and that the remainder of this Ordinance shall remain in full force and effect.

SECTION 4. The City Clerk shall cause this Ordinance or a summary hereof to be published in a newspaper of general circulation, published in the County of Ventura and circulated in the City, and if applicable, to be posted, in accordance with Section 36933 of the California Government Code; shall certify to the adoption of this Ordinance and shall cause a certified copy of this Ordinance, together with proof of publication, to be filed in the Office of the Clerk of this City.

SECTION 5. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

PASSED and ADOPTED this ____ day of February 2022.

Attest:

Lucy Blanco, CMC, City Clerk

Keith L. Mashburn, Mayor of the City of
Simi Valley, California

Approved as to Form:

Approved as to Content:

David L. Caceres, City Attorney

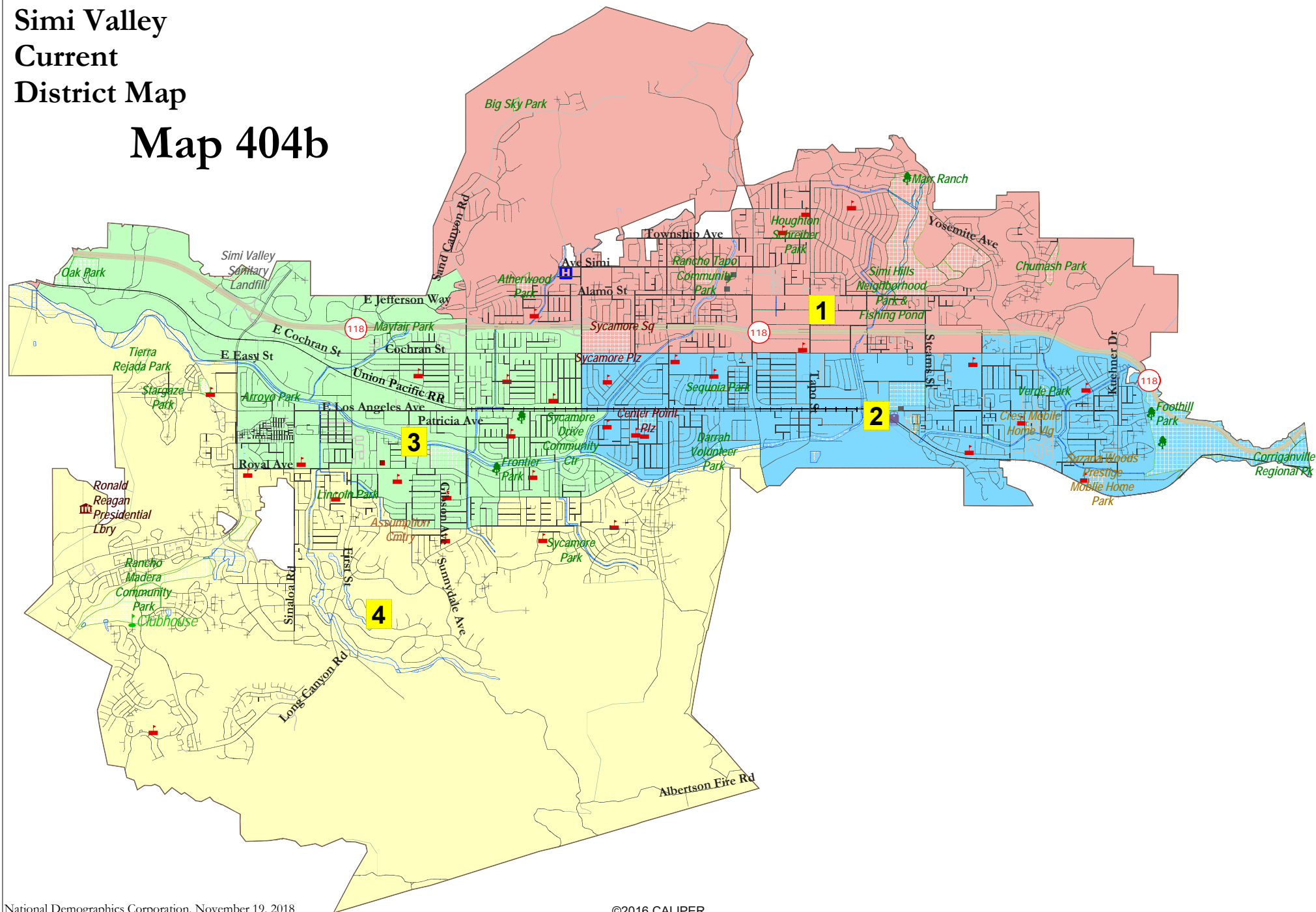
Brian Paul Gabler, City Manager

Exhibit A

Map _____

**Map of City of Simi Valley District Boundaries
following Federal Decennial Census of 2020**

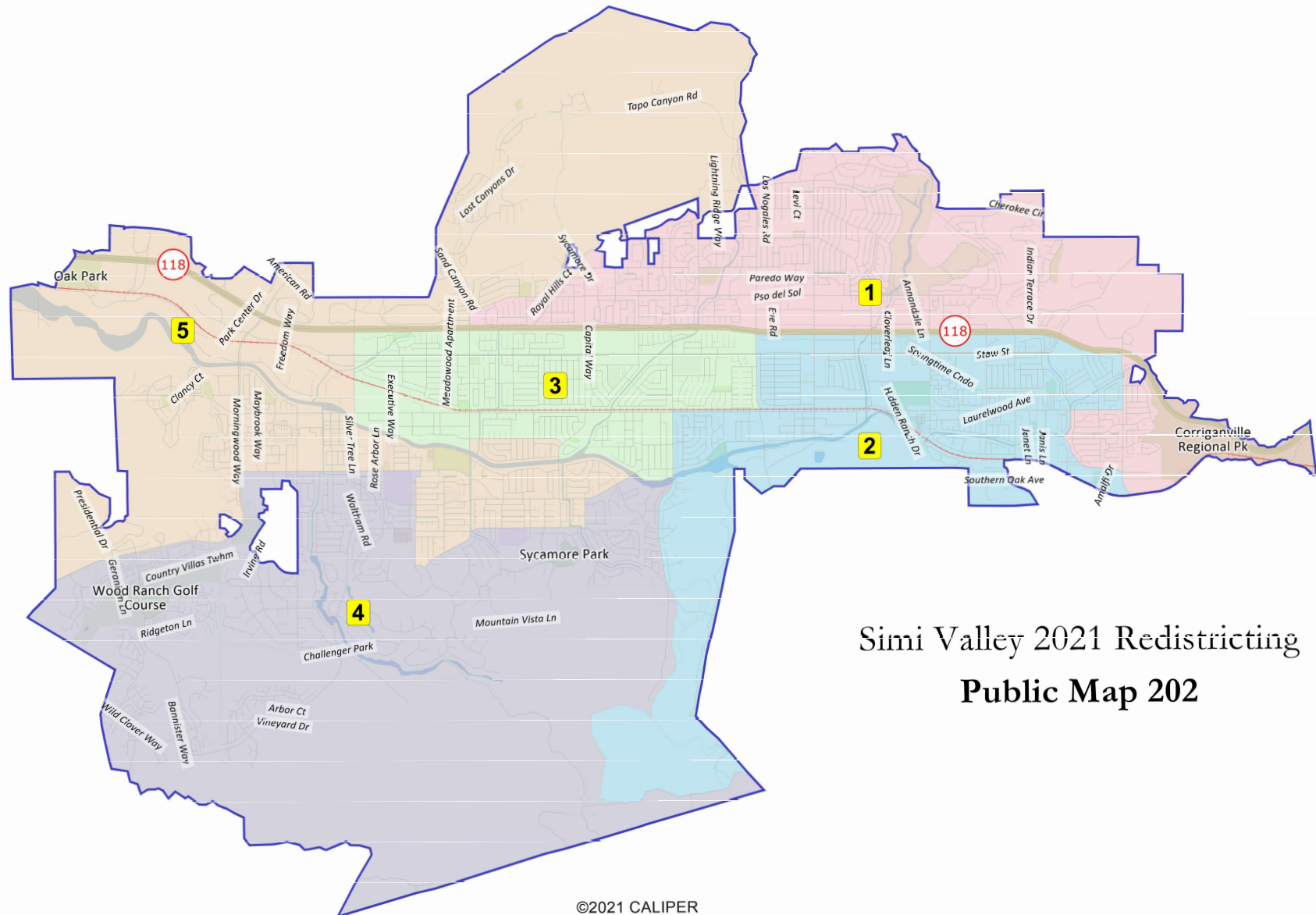
Simi Valley Current District Map Map 404b



The population of each of the 4 districts should be about 31,590 residents, with no more than a 3% population difference between the largest and smallest districts.

Public Map 201





| <i>City of Simi Valley - Public Map 202 (5 Districts)</i> | | | | | | | |
|--|-----------------------------------|----------|----------|----------|----------|----------|--------------|
| District | | 1 | 2 | 3 | 4 | 5 | Total |
| 2020 | 2020 Census (Adjusted) | 26,266 | 24,217 | 25,557 | 24,533 | 25,787 | 126,360 |
| | Deviation from ideal | 994 | -1,055 | 285 | -739 | 515 | 2,049 |
| | % Deviation | 3.93% | -4.17% | 1.13% | -2.92% | 2.04% | 8.11% |
| 2020 Total Pop | % Hisp | 22% | 29% | 39% | 19% | 33% | 28% |
| | % NH White | 60% | 51% | 46% | 64% | 49% | 54% |
| | % NH Black | 2% | 2% | 2% | 2% | 2% | 2% |
| | % Asian-American | 13% | 14% | 10% | 11% | 13% | 12% |
| | Total | 19,899 | 18,130 | 17,627 | 18,120 | 17,464 | 91,240 |
| Citizen Voting Age Pop | % Hisp | 17% | 22% | 26% | 12% | 26% | 20% |
| | % NH White | 71% | 63% | 61% | 77% | 60% | 67% |
| | % NH Black | 0% | 2% | 3% | 1% | 2% | 2% |
| | % Asian/Pac.Isl. | 11% | 11% | 9% | 9% | 10% | 10% |
| | Total | 19,061 | 14,840 | 15,174 | 17,715 | 15,689 | 82,479 |
| Voter Registration (Nov 2020) | % Latino est. | 14% | 21% | 27% | 13% | 24% | 19% |
| | % Spanish-Surnamed | 13% | 19% | 25% | 12% | 22% | 18% |
| | % Asian-Surnamed | 5% | 5% | 4% | 5% | 5% | 5% |
| | % Filipino-Surnamed | 1% | 2% | 2% | 1% | 2% | 1% |
| | % NH White est. | 79% | 72% | 68% | 81% | 68% | 74% |
| | % NH Black | 1% | 2% | 2% | 1% | 2% | 1% |
| | Total | 16,898 | 12,747 | 12,931 | 15,872 | 13,485 | 71,933 |
| Voter Turnout (Nov 2020) | % Latino est. | 14% | 20% | 25% | 13% | 22% | 18% |
| | % Spanish-Surnamed | 13% | 18% | 23% | 12% | 21% | 17% |
| | % Asian-Surnamed | 5% | 4% | 4% | 5% | 5% | 5% |
| | % Filipino-Surnamed | 1% | 2% | 2% | 1% | 2% | 1% |
| | % NH White est. | 80% | 73% | 69% | 81% | 69% | 75% |
| | % NH Black est. | 0% | 2% | 2% | 1% | 3% | 1% |
| | Total | 26,386 | 25,197 | 25,262 | 23,209 | 25,354 | 125,408 |
| ACS Pop. Est. | Total | 26,386 | 25,197 | 25,262 | 23,209 | 25,354 | 125,408 |
| Age | age0-19 | 23% | 24% | 25% | 22% | 26% | 24% |
| | age20-60 | 53% | 53% | 57% | 52% | 57% | 55% |
| | age60plus | 23% | 22% | 18% | 26% | 17% | 21% |
| Immigration | immigrants | 17% | 18% | 20% | 14% | 20% | 18% |
| | naturalized | 74% | 68% | 57% | 77% | 62% | 67% |
| Language spoken at home | english | 76% | 74% | 68% | 81% | 68% | 73% |
| | spanish | 11% | 14% | 23% | 9% | 21% | 16% |
| | asian-lang | 5% | 7% | 5% | 5% | 6% | 6% |
| | other lang | 8% | 5% | 4% | 5% | 5% | 5% |
| Language Fluency | Speaks Eng. "Less than Very Well" | 7% | 9% | 13% | 4% | 10% | 9% |
| Education (among those age 25+) | hs-grad | 45% | 49% | 53% | 41% | 48% | 47% |
| | bachelor | 25% | 20% | 17% | 30% | 21% | 23% |
| | graduatedegree | 13% | 9% | 7% | 15% | 10% | 11% |
| Child in Household | child-under18 | 34% | 33% | 34% | 27% | 37% | 33% |
| Pct of Pop. Age 16+ | employed | 66% | 66% | 70% | 64% | 71% | 67% |
| Household Income | income 0-25k | 8% | 12% | 11% | 8% | 8% | 9% |
| | income 25-50k | 13% | 18% | 17% | 9% | 12% | 14% |
| | income 50-75k | 9% | 15% | 14% | 12% | 16% | 13% |
| | income 75-200k | 51% | 48% | 50% | 47% | 53% | 50% |
| | income 200k-plus | 20% | 8% | 8% | 23% | 11% | 14% |
| Housing Stats | single family | 91% | 74% | 80% | 88% | 82% | 83% |
| | multi-family | 9% | 26% | 20% | 12% | 18% | 17% |
| | rented | 18% | 41% | 35% | 18% | 28% | 28% |
| | owned | 82% | 59% | 65% | 82% | 72% | 72% |

Total population data from the California adjustment to the 2020 Decennial Census. Surname-based Voter Registration and Turnout data from the California Statewide Database. Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data.



| City of Simi Valley - Public Map 203 | | | | | | |
|--------------------------------------|-----------------------------------|--------|--------|--------|--------|---------|
| District | | 1 | 2 | 3 | 4 | Total |
| 2020 | 2020 Census (Adjusted) | 33,737 | 30,886 | 31,733 | 30,004 | 126,360 |
| 2020 Total Pop | Deviation from ideal | 2,147 | -704 | 143 | -1,586 | 3,733 |
| | % Deviation | 6.80% | -2.23% | 0.45% | -5.02% | 11.82% |
| | % Hisp | 21% | 30% | 39% | 24% | 28% |
| | % NH White | 59% | 51% | 45% | 60% | 54% |
| | % NH Black | 2% | 2% | 2% | 2% | 2% |
| Citizen Voting Age Pop | % Asian-American | 14% | 13% | 10% | 11% | 12% |
| | Total | 24,833 | 23,611 | 21,483 | 21,312 | 91,240 |
| | % Hisp | 16% | 22% | 27% | 17% | 20% |
| | % NH White | 70% | 64% | 61% | 72% | 67% |
| | % NH Black | 1% | 2% | 2% | 1% | 2% |
| Voter Registration (Nov 2020) | % Asian/Pac.Isl. | 12% | 11% | 9% | 9% | 10% |
| | Total | 23,731 | 19,455 | 18,361 | 20,932 | 82,479 |
| | % Latino est. | 14% | 22% | 27% | 16% | 19% |
| | % Spanish-Surnamed | 13% | 20% | 25% | 15% | 18% |
| | % Asian-Surnamed | 6% | 4% | 4% | 5% | 5% |
| | % Filipino-Surnamed | 1% | 2% | 2% | 1% | 1% |
| | % NH White est. | 78% | 71% | 67% | 77% | 74% |
| Voter Turnout (Nov 2020) | % NH Black | 1% | 2% | 2% | 1% | 1% |
| | Total | 21,066 | 16,721 | 15,551 | 18,595 | 71,933 |
| | % Latino est. | 14% | 20% | 25% | 15% | 18% |
| | % Spanish-Surnamed | 13% | 19% | 23% | 14% | 17% |
| | % Asian-Surnamed | 6% | 4% | 4% | 5% | 5% |
| | % Filipino-Surnamed | 1% | 2% | 2% | 1% | 1% |
| | % NH White est. | 79% | 72% | 69% | 78% | 75% |
| ACS Pop. Est. | % NH Black est. | 1% | 2% | 2% | 1% | 1% |
| | Total | 32,848 | 32,419 | 31,678 | 28,464 | 125,408 |
| | Age | | | | | |
| | age0-19 | 23% | 24% | 25% | 24% | 24% |
| Immigration | age20-60 | 53% | 55% | 58% | 54% | 55% |
| | age60plus | 24% | 22% | 17% | 23% | 21% |
| | immigrants | 17% | 18% | 20% | 16% | 18% |
| Language spoken at home | naturalized | 74% | 69% | 54% | 71% | 67% |
| | english | 77% | 74% | 66% | 76% | 73% |
| | spanish | 11% | 14% | 24% | 14% | 16% |
| | asian-lang | 6% | 6% | 5% | 4% | 6% |
| Language Fluency | other lang | 6% | 5% | 4% | 6% | 5% |
| | Speaks Eng. "Less than Very Well" | 6% | 9% | 13% | 6% | 9% |
| Education (among those age 25+) | hs-grad | 44% | 50% | 52% | 43% | 47% |
| | bachelor | 26% | 21% | 16% | 28% | 23% |
| | graduatedegree | 14% | 8% | 7% | 13% | 11% |
| Child in Household | child-under18 | 32% | 32% | 36% | 31% | 33% |
| Pct of Pop. Age 16+ | employed | 66% | 67% | 70% | 66% | 67% |
| Household Income | income 0-25k | 8% | 12% | 10% | 8% | 9% |
| | income 25-50k | 12% | 16% | 17% | 10% | 14% |
| | income 50-75k | 11% | 14% | 15% | 13% | 13% |
| | income 75-200k | 50% | 50% | 50% | 48% | 50% |
| | income 200k-plus | 19% | 8% | 8% | 21% | 14% |
| Housing Stats | single family | 85% | 79% | 80% | 90% | 83% |
| | multi-family | 15% | 21% | 20% | 10% | 17% |
| | rented | 22% | 35% | 36% | 16% | 28% |
| | owned | 78% | 65% | 64% | 84% | 72% |

Total population data from the California adjustment to the 2020 Decennial Census. Surname-based Voter Registration and Turnout data from the California Statewide Database. Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data.